**#FOLEY** 

RECEIVED CENTRAL FAX CENTER

MAY 0 7 2004



FOLEY & LARDNER LLP ATTORNEYS AT LAW

11250 EL CAMINO REAL, SUITE 200 SAN DIEGO, CA 92130 P.O. BOX 60278 SAN DIEGO, CALIFORNIA 92138-0278 TELEPHONE: 858.647.6700 FACSIMILE: 858.792.8773 WWW.FOLEY.COM

### FACSIMILE TRANSMISSION

Total # of Pages: 15 (including this page)

TO:	PHONE #:	FAX#;
Examiner C. Ostrup – Art Unit 1614 U.S. Patent and Trademark Office	(571) 272-0582	(703) 872-9306

From: Wesley B. Ames

Email Address: wames@foley.com

Sender's Direct Dial: 858,847,6714

Date: April 20, 2004

Client/Matter No: 072827-1905

User ID No: 0188

#### MESSAGE:

#### OFFICIAL

U.S. Patent Application No. 09/990,405

Following are:

Amendment Transmittal/Petition for Ext. of Time (3 pgs. - in dupl.. = 6 pgs.); Amendment and Reply Under 37 CFR 1.111 (8 pgs.).

> If there are any problems with this transmission or if you have not received all of the pages, please call.

Operator:	Time Sent:	Return Original To:
•		Joy Day

CONFIDENTIALITY NOTICE: THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION, AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR ANY AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN BERFOR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

Atty. Dkt. No. 072827-1905

LERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the
United States Patent and Trademark Office, Alexandria. Virginia

Joy Day

May 7, 2004

on the date below.

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Alan Mueller, et al.

Title:

METHODS AND COMPOUNDS

FOR TREATING DEPRESSION

AND OTHER DISORDERS

Appl. No.:

09/990,405

Filing Date:

11/21/2001

Examiner:

Ostrup, C.

Art Unit:

1614

## AMENDMENT TRANSMITTAL

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

- Applicants claim Small Entity status under 37 C.F.R. § 1.27. [X]
- Assertion of Small Entity status is enclosed.
- The fee required for additional claims is calculated below:

	Claims As		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
	Amended		24		0	х	\$18.00	=	\$0.00
Total Claims:	6	•	24		_		\$86.00	<u>.</u>	\$0.00
Independent	. 1	-	8	=	0 ,	X	\$60.00	-	
Claims	presentation	of ar	ny Multiple l	Depende	nt Claims:	+	\$290.00	=	\$0.00
rnse	<b>P</b> / <b>O D O O O O O O O O O O</b>				CLAIMS	S FE	E TOTAL	=	\$0.00

Atty. Dkt. No. 072827-1905

[X] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[ ] Extension for response filed within the first month:	\$110.00	\$0.00
[ ] Extension for response filed within the second month:	\$420.00	\$0.00
[X] Extension for response filed within the third month:	\$950.00	\$950.00
[ ] Extension for response filed within the fourth month:	\$1,480.00	\$0.00
[ ] Extension for response filed within the fifth month:	\$2,010.00	\$0.00
EXTENSION	FEE TOTAL:	\$950.00
[ ] Statutory Disclaimer Fee under 37 C.F.R. 1,20(d):	\$110.00	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER	R FEE TOTAL:	\$950.00
[X] Small Entity Fees Apply (subtra	ct ½ of above):	\$475.00
	TOTAL FEE:	\$475,00

- [X] Please charge Deposit Account No. 50-0872 in the amount of \$475.00. A duplicate copy of this transmittal is enclosed.
- A check in the amount of \$\_\_\_\_ is enclosed.
- The Commissioner is hereby authorized to charge any additional fees which may be [X]required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

DI MR253392.1

Atty. Dkt. No. 072827-1905

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date: May 7, 2004

FOLEY & LARDNER LLP Customer Number: 33588 Telephone: (858) 847-6714 Facsimile: (858) 792-6773 Wesley B. Ames Attorney for Applicant Registration No. 40,893